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Town of Frederick Board of Trustees



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AM 2007-XXX

CONSIDERATION OF WYNDHAM HILL FILING 1 REPLAT A AND AMENDED FINAL DEVELOPMENT PLAN

I. **Agenda Date:** April 12, 2007
PC Hearing held March 15, 2007

II. **Attachments:**

- a. Resolution 022035 - in worksheet see 2nd 4 4 4 4 5
- b. Ordinance
- c. PCR 2007-05 A Approval
- d. Planning Commission Minutes
- e. Vicinity Map
- f. Applicant's description of the proposal
- g. 11x17 drawing set of the proposal

III. **Fiscal Note:** None noted.

Marcia Lierman, Finance Director

IV. **Submitted by:**

Todd C. Tucker, AICP, Staff Planner

V. **Approved for Presentation:**

Derek Todd, Town Administrator

VI. **Certification of Board Approval:**

Town Clerk

Date

VII. **Summary Statement:** The applicant has requested approval to replat 41 lots within three blocks of Wyndham Hill Filing 1. The purpose of the replat is to accommodate lot widths as desired by a second builder within the Wyndham Hill Development. A secondary consideration is that the adjusted lot widths will provide for diversity in the single family portions of the development. The net effect is that the number of lots will be reduced by three, and will be more uniform in size and dimension. The proposal is consistent with the approved planned unit development.

The request meets with the applicable requirements for approval.

VIII. Detail of Issue/Request:

Applicant: Jessica Clark
C/o Frederick Development Company
2500 Arapahoe Ave. Suite 220
Boulder, CO 80302

Property Owners: Same

Adjacent Zoning / Land Uses: The replat involves two areas near the center of Filing1 (N1/2 of the SE ¼ of section 34 T2N R68W), and encompasses Blocks 14, 15, and 24. The zoning surrounding these Blocks is R-1 with a PUD overlay, however a portion of Block 15 abuts unincorporated Weld County.

For Blocks 14 and 15 the adjacent zoning and land uses are:

North	R-1 w / PUD Overlay, residential, Town of Frederick
East	Agricultural, Unincorporated Weld County, and R-1, Town of Frederick
South	C-H52 Mixed Use Highway 52, Town of Frederick
West	R-1 w / PUD Overlay, residential, Town of Frederick

For Block 24 the adjacent zoning and land uses are:

North	R-1 w / PUD Overlay, residential, Town of Frederick
East	R-1 w / PUD Overlay, residential, Town of Frederick
South	R-1 w / PUD Overlay, residential, Town of Frederick
West	R-1 w / PUD Overlay, residential, Town of Frederick

V. Legal/Political Considerations:

Referral: The application was referred per the provisions of the Land use Code. All referral responses are on file with the Planning Department and have been incorporated into the report as applicable.

Public Notice: The public hearing was noticed in accordance with the provision of the Land Use Code. There has been no public comment regarding this proposal.

Review Criteria: Sections 4.14. Resubdivision and 4.7 Final Plat of the *Land Use Code* set the criteria for Replats and Final Plats. Section 3.3.4.I sets the criteria for a Final Development Plan.

4.7 (c) Final plat review criteria. The Town shall use the following criteria to evaluate the applicant's request:

- (1) The final plat conforms with the approved preliminary plat and incorporates recommended changes, modifications and conditions attached to the approval of the preliminary plat unless otherwise approved by the Board of Trustees.

The proposed Replat conforms to the approved preliminary plat.

- (2) The development will substantially comply with the community design principles and development standards as set forth in Article 2 of this Code.

The proposed development substantially complies with the community design principles and development standards as set forth in Article 2 of this Code.

- (3) **All applicable technical standards have been met. (Ord. 669 §5, 2002; Ord. 785 §10, 2005).**

All applicable technical standards have been met.

3.3.4.i Final PUD development plan review criteria. In addition to all of the review criteria for a preliminary PUD development plan, the following review criteria will be used by the Town staff and Board of Trustees to evaluate all PUD applications at the time of final PUD plan/final plat:

- (a) **The final PUD development plan is substantially consistent with the preliminary PUD development plan as approved by the Board of Trustees.**

The proposed development plan is substantially consistent with the preliminary PUD as approved by the Board of Trustees.

- (b) **All preliminary PUD development plan conditions of approval have been adequately addressed on the final PUD development plan.**
There are no conflicts between the proposed development plan and the approved development plan. All conditions have been adequately addressed.

In summary, the proposed change consists of a reconfiguration of the lot lines. For the most part, this increased the lot sizes and reduced the number of lots. Within block 14 the increased lot sizes resulting in a decrease of two lots. In Block 15 the increased lot size reduced the number of lots by one, and in block 24, the lot sizes were adjusted such that the lot widths and lot area are more uniform in dimension, and the number of lots within this block remains the same.

All easements including the public rights-of-way are platted along the front and rear lot lines and will not be affected by the proposed lot line adjustments.

Planning Commission: The Planning Commission considered the request on March 15, 2007. No one from the public commented on the request. There was some discussion regarding whether or not this development has any areas that do not currently meet the existing codes that should be changed prior to approval. In particular, the width of the rights-of-way surrounding the proposed replat was discussed and it was suggested that the road rights-of-way be adjusted to meet the current fire code access requirements (60 feet). Staff noted that the existing 54 foot right-of-way was approved in the final plat, preliminary plat, and PUD for Filing 1. Furthermore, increasing the road width for three blocks and 39 lots located near the center of the development would result in three blocks and 39 lots with wider road widths than the surrounding 340 lots that are serviced by 54 foot wide road widths as approved in Filing 1.

It should also be noted that many of these streets are already constructed and a waiver was granted by the Board of Trustees regarding the road widths within Filing 2 of this development on August 24th, 2006, per resolution 06R053. The approved road widths conform to that waiver. Furthermore, in some instances requiring the dedication of additional right-of-way on these 38 lots would result in lots that are smaller than the minimum required lot size of 6,250 square feet. Commissioner Hudziak made motion to approve the request, and was seconded by Commissioner Blair. The motion to approve the request was passed unanimously.

- X. Alternatives/Options:** Per section 4.14 of the Land Use Code, the re-subdivision of any lots, tracts or parcels, or the relocation or addition of streets within a subdivision, shall be considered a re-subdivision (also known as a "replat") and shall be prepared and submitted in compliance with the requirements for subdivision as set forth within Article 4. In this instance, there are new rights of way dedicated, and no dedicated streets that will be relocated, the replat increases the size of the lots and reduces the density within these blocks by three units.

The proposal conforms to the applicable requirements.

ACTIONS: The Board of Trustees may consider the following options regarding the application:

- ☐ Approve the request finding it is substantially in conformance with the provisions of the Land Use Code and Comprehensive Plan;
- ☐ Deny the request with a finding that it does not substantially achieve conformance with the provisions of the Land Use Code and Comprehensive Plan;
- ☐ Approve the request finding that it would be substantially in conformance with the provisions of the Land Use Code and Comprehensive Plan if certain conditions are met;

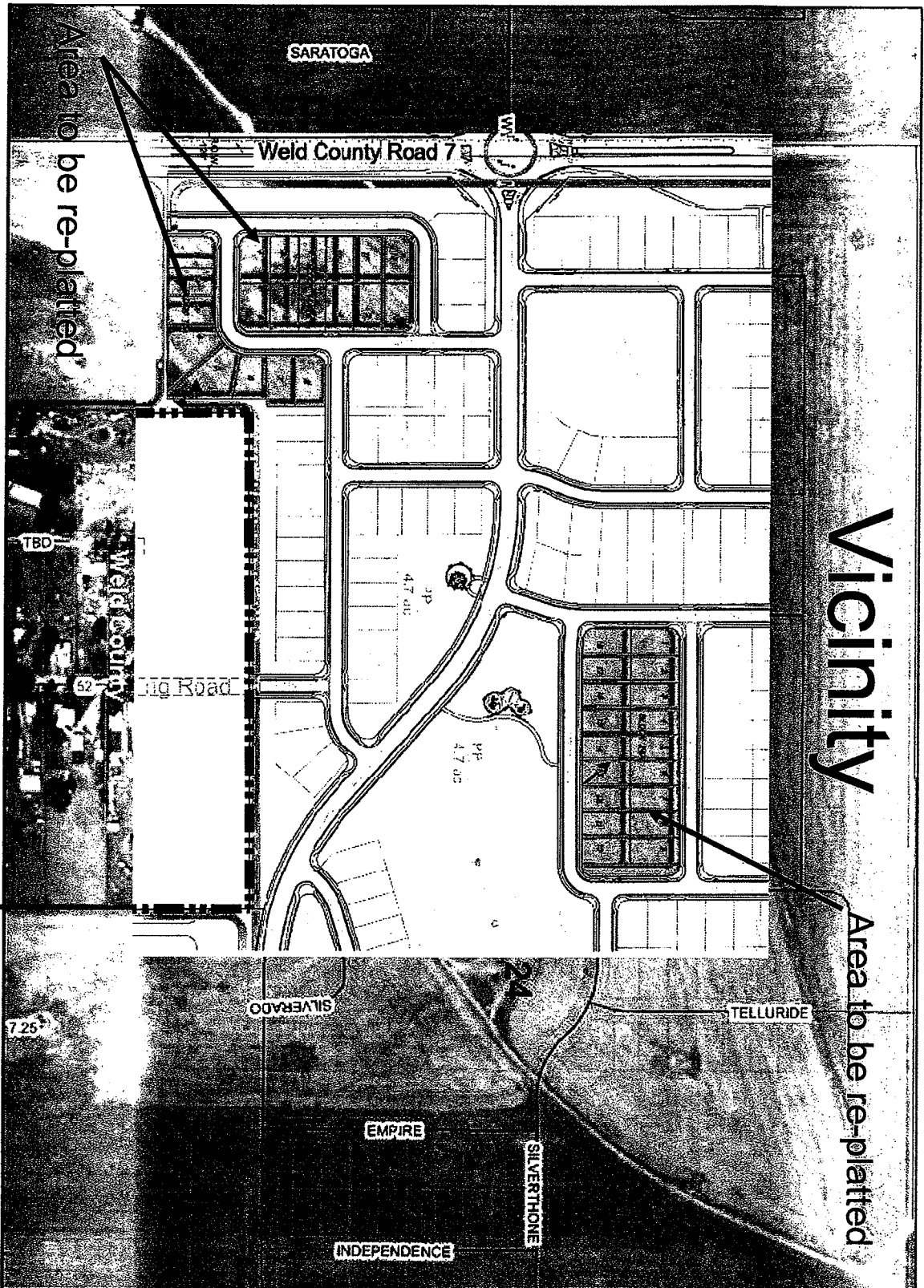
XI. Financial Considerations: Not Applicable

XII. Staff Recommendation: Staff and the Planning Commission recommend approval of the proposed replat.

Vicinity

Area to be re-platted

Area to be re-platted



Wyndham Hill Filing 1 Replat A

